

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: W.K. Hagmann et al.

Serial No. 10/509,277

Filed: September 27, 2004

For: SUBSTITUTED ARYL AMIDES



Art Unit: _____

Examiner: _____

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By [Signature] Date 12/13/04

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

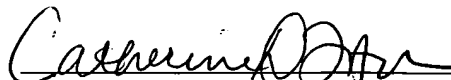
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: CATHERINE D. FITCH

Attorney _____ For Applicant(s)

Reg. No. 36,502

MERCK & CO., INC.

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Date: Dec. 13, 2004

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/509,277	
			Filing Date	September 27, 2004	
			First Named Inventor	W.K. Hagmann et al.	
			Group Art Unit		
			Examiner Name		
Sheet	1	of	4	Attorney Docket Number	21071YP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		5624941		Barth et al.	04/29/1997
		6028084		Barth et al.	02/22/2000
		5013837		Ward et al.	05/07/1991
		4973587		Ward et al.	11/27/1990
		5081122		Ward	01/14/1992
		5112820		Ward	05/12/1992
		5292736		Kumar et al.	03/08/1994
		6344474		Maruani et al.	02/05/2002
		USSN 60/515,705		Shah et al.	
		USSN 60/504,377		Armstrong et al.	
		USSN 10/507,864		Hagmann et al.	
		US2004-0058820		Hagmann et al.	03/25/2004
		USSN 60/483,679		Burns et al.	
		5658943		Berryman et al.	08/19/1997

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number		
			EP 658546	Sanofi-Synthelabo	05/23/2001
			WO 98/31227	SmithKline Beecham Corporation	07/23/1998
			WO 98/41519	SmithKline Beecham Corporation	09/24/1998
			WO 98/37061	Bayer Aktiengesellschaft	08/27/1998
			WO 00/10967	Bayer Aktiengesellschaft	03/02/2000
			WO 00/10968	Bayer Aktiengesellschaft	03/02/2000
			WO 97/29079	Japan Tobacco Inc.	08/14/1997
			WO 02/076945	Ortho-MacNeil Pharmaceutical, Inc.	10/03/2002
			WO 03/077847	Merck & Co., Inc.	09/25/2003
			WO 03/086288	Merck & Co., Inc.	10/23/2003

Examiner Signature		Date Considered	
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STATEMENT BY APPLICANT

(use as many sheets as necessary)

COMPLETE IF KNOWN

Application Number	10/509,277
Filing Date	September 27, 2004
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Group Art Unit	
Examiner Name	
Attorney Docket Number	21071YP

Sheet 2 of 4

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
			WO 03/082256		Sanofi-Synthelabo	10/09/2003
			WO 01/58450		Sanofi-Synthelabo	08/16/2001
			WO 01/85092		Sanofi-Synthelabo	11/15/2001
			EP 1328269		Aventis Pharma S.A.	05/26/2004
			WO 04/040040		UHDE GMBH	05/13/2004
			FR 1358M		L'Equilibre Biologique	06/18/2002
			WO 00/25774		Merck & Co., Inc.	05/01/2000
			GB 1172346		Parke, Davis & Company	11/26/1969
			GB 899556		Farbwerke Hoeschst Aktiengesellschaft	06/27/1962
			WO 97/27852		Merck & Co., Inc.	08/07/1997

Date
Considered

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/509,277	
			Filing Date	September 27, 2004	
			First Named Inventor	W.K. Hagmann et al.	
			Group Art Unit		
			Examiner Name		
Sheet	4	of	4	Attorney Docket Number	21071YP

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	AA	Barth, Exp. Opin. Ther. Patents, Vol. 8 (1998), pp. 301-313, "Cannabinoid receptor agonists and antagonists"
	AB	Xiang et al., Ann. Rep. Med. Chem., A. Doherty, ed., Academic Press, NY (1999), Vol. 34, pp. 199-208, "Chap. 20. Pharmacology of cannabinoid receptor agonists and antagonists"
	AC	Goya et al., Exp. Opin. Ther. Patents, Vol. 10 (2000), pp. 1529-1538, "Recent advances in cannabinoid receptor agonists and antagonists"
	AD	Piomelli et al., Trends in Pharm. Sci., Vol. 21 (2000), pp. 218-224, "The endocannabinoid system as a target for therapeutic drugs"
	AE	Lack et al., J. Pharmacol. Expt'l. Therap., Vol. 139 (1963), pp. 248-258, "The intestinal action of benzmalecene: The Relationship of its hypocholesterolemic effect to active transport of bile salts and other substances"
	AF	Julian et al., Eur. J. Org. Chem. (2000), pp. 1319-1325, "Asymmetric synthesis of 2,4-disubstituted tetrahydroioquinolines"
	AG	Lettre et al., Ann., Vol. 603 (1957), pp. 189-99, "Uber benzhydrylalkylamine. Ein beitrag zur analyse der mitosehemmenden wirkung des colchicins"

Examiner Signature		Date Considered	
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